

Docket No. 01204.049700.
Date: February 1, 2007

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: LUCIO GIAMBATTISTA

Application No.: 10/824,304

For: PEN NEEDLE AND SAFETY SHIELD SYSTEM

Filed: April 14, 2004

Group Art Unit: 3767

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 2, 2006 of the Primary Examiner finally rejecting claims 24-26, 31-40, 45-47 and 50-55.

The item(s) checked below are appropriate.

1. ☐ A Petition for a ____ month extension of time to respond to the final rejection, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on _____.
2. ☒ Applicants petition for a three- month extension of time to take further action. The \$1,020.00 extension fee under 37 C.F.R. §1.17, is submitted herewith.
3. ☒ Fee \$500.00
☐ Fee \$250.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
☒ Enclosed
☐ Not required (fee paid in prior appeal)
☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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